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Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE DYNAMIC RANDOM ACCESS
MEMORY (DRAM) ANTITRUST
LITIGATION

Master File No. M-02-1486-PJH

MDL No. 1486

**~~PROPOSED~~ ORDER AWARDING
PLAINTIFFS' COUNSEL
ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES**

THIS DOCUMENT RELATES TO:

ALL DIRECT PURCHASER ACTIONS.

Time: 9:00 a.m.
Date: August 15, 2007
Judge: Hon. Phyllis J. Hamilton
Courtroom : 3, 17th Floor

1 The Court, having considered Plaintiffs' Motion for an Award of Attorneys' Fees and
2 Reimbursement of Expenses and the memorandum and declarations in support thereof, and after
3 hearing, hereby finds that:

4 1. Plaintiffs' Motion for Attorneys' Fees, Reimbursement of Expenses and Class
5 Representative Incentive Awards (the "Motion") requests an award of attorneys' fees of 25% of
6 Settlement Fund, which is comprised of the Settling Defendants' settlement payments together
7 with interest earned thereon. Further, Plaintiffs' counsel request reimbursement of out-of-pocket
8 litigation costs and expenses.

9 2. The Court finds that the amount of fees requested is fair and reasonable under the
10 "percentage-of-recovery" method.

11 3. The attorneys' fees requested were entirely contingent upon success. Plaintiffs'
12 counsel risked time and effort and advanced costs and expenses with no ultimate guarantee of
13 compensation.

14 4. In excess of one million notices outlining Plaintiffs' Counsels' requests were
15 provided to class members. Only five objections were received. This court has considered those
16 objections and they are hereby denied.

17 5. Upon consideration of the Motion and accompanying Declarations and based upon
18 all matters of record including the pleadings and papers filed in this action, the Court hereby
19 finds that the fee requested is reasonable and proper, and that the costs and expenses incurred by
20 plaintiffs' counsel were necessary, reasonable and proper.

21 Accordingly, it is hereby ORDERED and DECREED that:

22 A. Plaintiffs' counsel are awarded attorneys' fees of twenty five percent (25%) of the
23 Settlement Fund, together with interest earned on the Settlement Fund for the same time period
24 and at the same rate as that earned on the Settlement Fund until dispersed to Plaintiffs' counsel.

25
26 B. Plaintiffs' counsel are awarded reimbursement of their litigation costs and expenses
27 in the amount of \$4,250,551.56.

28 C. The attorneys' fees awarded and reimbursement of litigation costs and expenses

1 shall be paid from the Settlement Funds and the interest earned thereon.

2 D. The fees and expenses shall be allocated among plaintiffs' counsel by Co-Lead
3 Counsel in a manner which, in Co-Lead Counsel's good-faith judgment, reflects each such
4 plaintiffs' counsel's contribution to the institution, prosecution and resolution of the litigation.

5 E. This order shall be entered as of this date pursuant to Rule 54(b) of the Federal
6 Rules of Civil Procedure, the Court finding that there is no just reason for delay.

7
8 IT IS SO ORDERED.

9
10 Dated: August 16, 2007.



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